

UNITED STATES DISTRICT COURT

Southern

District of

New York

LEON D. BOROCHEFF, On Behalf of Himself  
and All Others Similary Situated, Plaintiff

V.  
GLAXOSMITHKLINE PLC, DR. JEAN-PIERRE  
GARNIER, and JULIAN HESLOP, Defendants

**SUMMONS IN A CIVIL ACTION**

CASE NUMBER:

**'07 CIV 5574**

**JUDGE STANTON**

TO: (Name and address of Defendant)

DR. JEAN-PIERRE GARNIER  
One Franklin Plaza  
Philadelphia, PA 19101

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

HAE SUNG NAM, Esq.  
Kaplan Fox & Kilsheimer, LLP  
805 Third Avenue, 22nd Floor  
New York, NY 10022  
Telephone: (212) 687-1980

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

*Marie J. McMahon*

**JUN 11 2007**

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____	Date _____	<i>Signature of Server</i> _____
<i>Address of Server</i> _____		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



APS File #: 083728-0001

## AFFIDAVIT OF SERVICE -- Individual

KAPLAN, FOX & KILSHEIMER  
Ms. Tanya N. Harvey  
805 Third Avenue, 22nd Floor  
New York, NY 10022

Service of Process on:

--Dr. Jean-Pierre Garnier  
Court Case No. 07-CIV 5574

State of: PENNSYLVANIA ss.  
County of: PHILA.

Name of Server: CURTIS LIZENBAUM, undersigned, being duly sworn, deposes and says that at the time of service, s/he was of legal age and was not a party to this action;

Date/Time of Service: that on the 13TH day of JUNE, 2007, at 10:55 o'clock A M

Place of Service: at One Franklin Plaza, in Philadelphia, PA 19101

Documents Served: the undersigned served the documents described as:  
Summons and Complaint for Violations of Federal Securities Laws

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:  
Dr. Jean-Pierre Garnier

Person Served, and Method of Service:  By personally delivering them into the hands of the person to be served.  
 By delivering them into the hands of DEBRA HINTON, a person of suitable age, ~~who verified or who upon questioning stated, that he/she resides with~~ Dr. Jean-Pierre Garnier MIN. LEGAL ASST. FOR GLAXOSMITHKLINE at the place of service, and whose relationship to the person is: \_\_\_\_\_

Description of Person Receiving Documents: The person receiving documents is described as follows:  
Sex F; Skin Color B; Hair Color BLACK; Facial Hair \_\_\_\_\_  
Approx. Age 55; Approx. Height 5'9; Approx. Weight 160

To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

Signature of Server

Curtis Lizenbaum  
**APS International, Ltd.**

Subscribed and sworn to before me this  
13TH day of JUNE, 2007

Notary Public (Commission Expires)

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL  
JOAN EISER Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires April 3, 2010

**Notice re Service of Process**

The only entity for which service can be accepted at this location is **SmithKline Beecham Corporation (or SmithKline Beecham Corporation d/b/a GlaxoSmithKline)**. If you are attempting to serve papers on any other entity, no one at this location is authorized to accept such service and any attempted service will be invalid. If you wish, you may leave an information copy of such other papers at this location but such action will not constitute service of process nor will it constitute waiver of any claim of defective service.

Case Jurisdiction: New York  
Case Number: 55741  
Case Name: Leon Borochoff v. GlaxoSmithKline PLC, et al.

Signature of Person Serving Process:

Curtis Lichtenbaum

Printed Name of Person Serving Process:

CURTIS LICHENBAUM

Date: 6/13/07

Signature of DR&P Member: Debra Hinton  
Comments: Accepting copy for information Hinton  
only. Not accepting for Glaxo  
Server Copy SmithKline PLC